



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

TERRY

Serial No.: 10/714,529

Filed: November 14, 2003

Confirmation No.: 2211

Atty. File No.: 41942-05553

For: "CEPSTRAL DOMAIN PULSE
OXIMETRY"

) Group Art Unit: 3736

) Examiner: Not Yet Assigned

) PRELIMINARY AMENDMENT

<p style="text-align: center;">CERTIFICATE OF MAILING</p> <p>I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON <u>4/16/04</u>.</p> <p style="text-align: center;">MARSH FISCHMANN & BREYFOGUE LLP</p> <p>BY: <u>[Signature]</u> DANIELA SANCHEZ</p>
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Prior to the initial review of the above-identified patent application by the Examiner, please enter the following Preliminary Amendment canceling claims 1-52, adding new claims 53-76, and amending the related application information section to add the patent number of the prior application. Although Applicant believes that no additional fees are due based upon the filing of this Preliminary Amendment, please charge additional fees due, if any, to Deposit Account No. 50-1419.

Please amend the above-identified patent application as follows: